

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN AND JANE DOE NO. 1, et al.,	:	CASE NO. 3:22-cv-00337
Plaintiffs,	:	JUDGE MICHAEL J. NEWMAN
vs.	:	
BETHEL LOCAL SCHOOL DISTRICT BOARD OF EDUCATION, et al.,	:	
Defendants.	:	

DECLARATION OF JOHN DOE NO. 2

I, John Doe No. 2, declare:

1. My name is John Doe No. 2.
2. I am over the age of 21 and fully competent to make this declaration.
3. I am a plaintiff in this lawsuit.
4. I have personal knowledge of all of the facts stated in this declaration, and my statements in this declaration are true and accurate to the best of my knowledge, information, and belief.
5. Attached as Exhibit A is a true and correct copy of the incident report from the Miami County Sheriff's Office regarding the bathroom incident on January 12, 2023.

6. I am a member of the Turkish Muslim community here in Bethel.

7. My wife, Jane Doe No. 2, and I also have multiple children in Bethel schools, including a daughter.

8. When I read Exhibit A and see a Muslim girl being forced to share bathrooms with biological males, it hurts deeply and makes me very upset.

9. Our people are Ahiska Turks. In 1944, the Soviet Union forced us from our homeland and deported us to Uzbekistan. On the journey, families were treated like livestock and forced to share cramped wagons like cattle in a railroad cattle car. These wagons were exposed to the elements and thousands died on the way. Once we reached Uzbekistan, we suffered violent discrimination and were relocated to Russia. I grew up in Russia. While in Russia, we were constantly persecuted. We were not allowed to have a mosque and were not allowed to freely practice our faith. We were blessed to get to America.

10. Many of our people first immigrated to Portland, Oregon before settling in Bethel, Ohio. The move was good because our beliefs and values are more similar to the Bethel community than they are to the Portland community.

11. Our people are proud, hardworking, immigrants trying to make a better life for our families.

12. Our Turkish Muslim community currently has about 400 students in Bethel schools. My understanding is that this is a large percentage of the entire student body, which has less than 1,600 students in total.

13. But we are also not the only Muslims in the school and there are other Muslims in the school who are not Turkish.

14. Given the history of our community and how far we have come, I feel a sense of responsibility for our people.

15. Making our children share restrooms with members of the opposite biological sex is a big problem.

16. We do not hate anyone and we raise our children to be respectful of all, including those we disagree with. My wife and I even gave of our own resources to build a sex-neutral bathroom in an attempt to meet the needs of those we disagree with. But Bethel's new bathroom rule is directly contradictory to our values, tradition, and faith; and it undermines our values and harms our children.

17. Our people have been subject to forced deportation, marginalization, and discrimination for almost a century. Bethel is a great place to raise our families in a community that largely shares our values. It is our home. But the board's new bathroom rule makes us powerless to live according to those values; values that I believe we share with the community overall.

I declare under penalty of perjury that the foregoing is true and correct.

2-2-2023

Date

John Doe No. 2



EXHIBIT A



MIAMI COUNTY SHERIFF'S OFFICE

Case Report for Incident 23SO00713

Nature: INFORMATION

Address: 7490 S STATE RT 201; BETHEL
HIGH SCHOOL BHS BEHS
TIPP CITY OH 45371

Location: SOBE

Offense Codes: INFO

Received By: S ADAMS

How Received: O

Agency: MSO

Responding Officers: E S MCGUIRE

Responsible Officer: E S MCGUIRE

Disposition: CLO 01/12/23

When Reported: 17:23:29 01/12/23

Occurred Between: 17:23:26 01/12/23 and 17:23:26 01/12/23

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: INFO INFORMATION REPORT

Additional Offense: INFO INFORMATION REPORT

Circumstances

Responding Officers:

Unit :

E S MCGUIRE

5

Responsible Officer: E S MCGUIRE

Agency: MSO

Received By: S ADAMS

Last Radio Log: 17:25:21 01/12/23 CMPLT

How Received: O OFFICER REPORT

Clearance: RT REPORT TAKEN

(REQUIRED)

When Reported: 17:23:29 01/12/23

Disposition: CLO Date: 01/12/23

Judicial Status:

Occurred between: 17:23:26 01/12/23

Misc Entry:

and: 17:23:26 01/12/23

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	
01/12/23	Name	[REDACTED]	INVOLVED
01/12/23	Name	[REDACTED]	INVOLVED
01/12/23	Name	[REDACTED]	INVOLVED
01/12/23	Name	SWOPE, BARRETT	INVOLVED

Narrative

MIAMI COUNTY SHERIFF'S OFFICE

Incident Narrative by: Deputy E. McGuire
Date of Narrative: 01/12/2023

On the listed date and time, I responded to 7490 S. SR 201 in regards to an information report.

Responsible LEO:

Approved by:

Date

Supplement

MIAMI COUNTY SHERIFF'S OFFICE

Supplemental Narrative by: Deputy E. McGuire

Supplement Date: 01/12/2023

Case Status: Closed

While working as the Bethel School Resource Officer, I was standing in the Cafeteria with Deputy Miller when I observed high school Principal Barrett Swope ask for me to come here. Mr. Swope advised that a loud commotion was coming from the girls' restroom and asked if I would do a walk through to verify that everything was alright, in which I stated I would do so.

Upon walking into the restroom, I could hear lots of voices and quickly observed several girls standing in what appeared to be a line. I asked for the girls to allow me through so I could get by them to see what was going on inside the restroom. This was unusual for this many girls to be inside of the restroom for me to have trouble to get by them. As I entered the inside of the restroom, I quickly observed several girls to be standing around talking in close proximity. They immediately became quiet when they saw my presence.

I recognized a lot of the students, but could visibly tell that student, [REDACTED] was upset about something. I asked what was going on and [REDACTED] mentioned that transgender students were currently using the restrooms and that this upset her. At this time, I mentioned to everyone that if they were not actively using the restroom, they needed to leave. A large group of girls left the restroom at this time and I remained in there for a short duration as it cleared out, as there were a lot of students in the restroom prior to this.

Upon leaving the restroom, I immediately notified Mr. Swope of the incident, and requested that [REDACTED] come speak with him and I separately about this matter. I informed [REDACTED] that I pulled her out to speak with Mr. Swope so she could address her concerns to him. I informed her that I asked the students to leave the restroom who were not actively using it due to how many were currently in there. [REDACTED] informed Mr. Swope that she did not recognize the two students; however, she believed them to be transgender students to come into the restroom, and that made her uncomfortable due to her being a Muslim woman.

At this time, I went back into the hallway as classes were dismissing and I was approached by student [REDACTED]. [REDACTED] informed me that she was sure that one of the students who was in the stall was [REDACTED]. [REDACTED] advised that another student went into the stall with her; however, she was unclear of who this was. [REDACTED] advised that one of them was sitting down, while another one of them was standing up.

At this time, I informed Mr. Swope of this information that was provided to me by [REDACTED]. I informed him that I did not personally observe [REDACTED] in the bathroom at the time I responded in, nor did I observe two people in the stall. I informed him that upon coming in, the bathroom was crowded, and I was attempting to deescalate the situation and attempt to get the crowd that was in the bathroom out due to safety reasons.

At this time, I did recommend to Mr. Swope that a future plan be put together to ensure that staff is present in the girls and boys restroom during class changes and lunch to prevent any further issues in the future.

This matter is closed at this time.

Case Report for Incident 23SO00713

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Name Involvements:**INVOLVED :** 297019Last: SWOPE
DOB: **/**/**First: BARRETT
Dr Lic:Mid:
Address: 7490 S STATE RT 201; BETHEL
HIGH SCHOOL BHS BEHS
City: TIPP CITY, OH 45371

Race: Sex: Phone:

INVOLVED : [REDACTED]Last: [REDACTED]
DOB: [REDACTED]First: [REDACTED]
Dr Lic:
Phone:Mid: [REDACTED]
Address: [REDACTED]
City: [REDACTED]

Race: W Sex: M

INVOLVED : [REDACTED]Last: [REDACTED]
DOB: [REDACTED]First: [REDACTED]
Dr Lic:
Phone: [REDACTED]Mid:
Address: [REDACTED]
City: [REDACTED]

Race: W Sex: F

INVOLVED : [REDACTED]Last: [REDACTED]
DOB: [REDACTED]First: [REDACTED]
Dr Lic:
Phone: [REDACTED]Mid:
Address: [REDACTED]
City: [REDACTED]

Race: B Sex: F